

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

PATRICIA CHAVEZ-RODRIGUEZ,

Plaintiff,

vs.

No. CIV 07-0633 JB/DJS

CITY OF SANTA FE, MAYOR DAVID COSS,  
in His Official and Individual Capacity,  
COUNCILOR KAREN HELDMEYER,  
in Her Official and Individual Capacity,  
JOHN B. "JACK" HIATT in His Official  
and Individual Capacity,

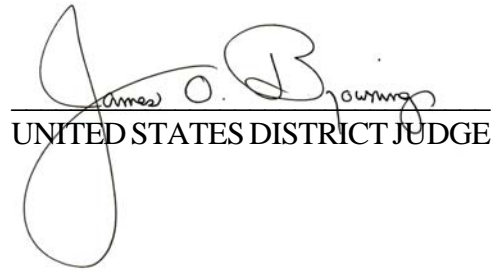
Defendants.

**ORDER**

**THIS MATTER** comes before the Court on: (i) the Defendants' Motion for Summary Judgment and Memorandum of Law Based on Qualified Immunity, filed December 12, 2008 (Doc. 244); and (ii) the United States Court of Appeals for the Tenth Circuit's opinion in Chavez-Rodriguez v. City of Santa Fe, No. 09-2047, 2010 WL 548277 (10th Cir. Feb. 18, 2010). The Court denied the Defendants' motion for summary judgment on February 28, 2009. See Memorandum Opinion and Order at 11, filed February 28, 2009 (Doc. 287). On March 5, 2009, the Defendants filed a notice of interlocutory appeal to the Tenth Circuit. See Notice of Appeal, filed March 5, 2009 (Doc. 293). On February 18, 2010, the Tenth Circuit issued a published opinion reversing the Court's decision and ordering the Court to enter judgment granting the Defendants' motion for summary judgment as to Plaintiff Patricia Chavez-Rodriguez' First Amendment claim. See Chavez-Rodriguez v. City of Santa Fe, 2010 WL 548277, at \*\*15-16. On March 12, 2010, the Tenth Circuit issued the mandate in this case, returning to the Court jurisdiction over the case. See Letter from Elisabeth A. Shumaker to Matthew Dykman (dated March 12, 2010), filed March 12, 2010 (Doc.

301). The Court now enters judgment granting the Defendants' motion for summary judgment on grounds of qualified immunity with respect to Chavez-Rodriguez' First Amendment claim.

**IT IS ORDERED** that the Defendants' Motion for Summary Judgment Based on Qualified Immunity is granted as to Plaintiff Patricia Chavez-Rodriguez' First Amendment claim.



UNITED STATES DISTRICT JUDGE

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